

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

NICOLE HARRIS and PAULA ASHLEY,

Plaintiffs,

v.

No. 2:22-cv-00454-KRS-GBW

DOUGLAS BOWMAN, Chief of Police for the City of Texico, and  
CHRISTINA VANNATTA, as Personal Representative of the  
Estate of CHARLES BRYAN VANNATTA, deceased,  
formerly a police officer with the City of Texico,

Defendants.

**STIPULATED ORDER OF DISMISSAL WITH PREJUDICE  
OF PAULA ASHLEY AS A PLAINTIFF AND THE FIFTH CAUSE OF ACTION IN  
PLAINTIFFS' SECOND AMENDED COMPLAINT**

THIS MATTER came before the Court on Plaintiff's Unopposed Motion to Dismiss Plaintiff Paula Ashley as a Plaintiff and her Claim Under the Fourth Amendment (Fifth Cause of Action) With Prejudice, (Doc. 68), filed February 15, 2024. Defendants are not opposed to the granting of this motion. The Court, having considered the Motion, and being further advised that Defendants do not oppose the granting of the motion and finding that no disputes remain between the parties Paula Ashley and the Defendants requiring resolution by this Court, hereby FINDS that the Motion is well-taken and should be GRANTED.

IT IS THEREFORE ORDERED that all claims stated by Paula Ashley in Plaintiffs' Second Amended Complaint, including but not limited to alleged multiple violations of the Fourth Amendment of the U.S. Constitution; Violations of Art. II, Section 10 of the New Mexico Constitution; Violations of the Fourteenth Amendment of the U.S. Constitution; Violations of Art. II, Sections Four and Eighteen of the N.M. Constitution; and Deprivation of State Statutory Rights, are HEREBY DISMISSED WITH PREJUDICE. Specifically, the Fifth Cause of Action

recited in the Plaintiffs' Second Amended Complaint is hereby dismissed with prejudice.

IT IS FURTHER ORDERED that Plaintiff Paula Ashley is hereby dismissed as a Plaintiff in this matter as such Order is in the best interests of justice.

IT IS FURTHER ORDERED that the style of the case shall be modified to reflect this dismissal. Each party shall bear its own costs and attorneys' fees.

IT IS SO ORDERED.

  
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KEVIN R. SWEAZEA  
UNITED STATES MAGISTRATE JUDGE  
Presiding by consent

Respectfully submitted, BY:

**NEDBALEK LAW OFFICE, LLC**

/s/ W. Chris Nedbalek

W. Chris Nedbalek for Nedbalek Law Office, LLC  
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Concurring:

**BY: QUINTAIROS, PRIETO, WOOD & BOYER, P.A.**

*Attorney for Defendants The City of Texico,  
Douglas Bowman, and Christina Vannatta as  
Personal Representative of the Estate of  
Charles Bryan Vannatta*

/s/ Stephen Hoffman

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